

Notice of Allowability

Application No.

10/826,639

Examiner

Dismery E. Mercedes

Applicant(s)

SALIBA ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/5/2007.
2. ☒ The allowed claim(s) is/are 1-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-43 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Independent Claim 1 and 31, are allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *allowing write operations to the storage medium after previously written data, the write operations overwriting a previous EOD marker associated with the Previously written data, and preventing write operations to the storage medium prior to the previous EOD marker.*

Independent Claim 14, is allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *if overwrite protected, initializing the storage medium in an overwrite protected mode, wherein the overwrite protected mode prevents the media drive from writing to the storage medium prior to a previously written EOD marker and allows for write append operations; and writing write data to the storage medium overwriting the previously written EOD marker and followed by an EOD marker associated with the end of the write data.*

Independent Claim 42, is allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *if the storage medium is overwrite protected forwarding to an EOD marker associated with previously written data, appending the write data adjacent the previously written data followed by a new EOD marker, and preventing write operations to the storage medium prior to the last EOD marker.*

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

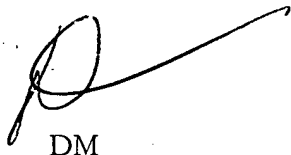
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Basham et al. (US 6,779,080); Basham et al. (US 6,339,810); Takayama (US 6,301,067); Debiez et al. (US 2003/0126359); Evans et al. (US 2005/0223162); Liu et al. (US 6,745,340); Gniewek et al. (US 5,265,082); Nonoyama et al. (US 6,526,482); Ro et al. (US 6,288,989); Odaka et al. (US 5,379,152); Christie Jr (US 6,947,237); Emberty et al. (US 2006/0002246); Chan et al. (US 6,775,087); Shih (US 5,517,599); Dang et al. (US 5,535,188); Yagawa et al. (US 7,171,511).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DM



TAN DINH
PRIMARY EXAMINER
2/02/07